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2006 SEP 18 A 9:41

U.S. Department of Justice

United States Attorney
District of Massachusetts

Telephone: (617) 748-3100

U.S. DISTRICT COURT
DISTRICT OF MASS.

Kristina E. Barclay, Assistant U.S. Attorney
John Joseph Moakley United States Courthouse
Asset Forfeiture Unit
1 Courthouse Way, Suite 9200
Boston, Massachusetts 02210

September 18, 2006

Dennis O'Leary
Clerk to the Honorable
Chief Judge Mark L. Wolf
United States District Court
District of Massachusetts
1 Courthouse Way
Boston, Massachusetts 02210

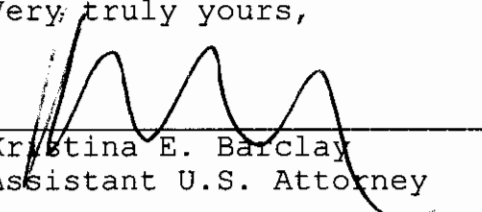
Re: United States of America v. Gilberto Lopes Nagime
CR 05-10211-MLW

Dear Sir/Madam:

Enclosed are the **original** Department of the Treasury Process, Receipt, and Return forms, in connection with the above-referenced criminal case. It is my understanding that the returns containing the original signatures are to be retained in the official court file, and need not be filed electronically, as they constitute executed service of process documents under Rule 4.

Thank you for bringing this matter to the attention of the Court.

Very truly yours,



Kristina E. Barclay
Assistant U.S. Attorney

KEB:jmd
Enclosure



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

| | | | |
|---|--|---|---|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER CR No. 05-10211-MLW | |
| DEFENDANT Gilberto Lopes Nagime | | TYPE OF PROCESS Preliminary Order of Forfeiture | |
| SERVE AT | Name Of Individual, Company, Corporation, Etc.. to Serve or Description of Property to Seize | | |
| | Publication | | |
| | Address (Street or RFD / Apt. # / City, State, and Zip Code) | | |
| Send NOTICE OF SERVICE copy to Requester: JENNIFER H. ZACKS, ASSISTANT U.S. ATTORNEY UNITED STATES ATTORNEY'S OFFICE John Joseph Moakley United States Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 | | Number Of Process To Be Served In This Case. | |
| | | Number Of Parties To Be Served In This Case. | |
| | | Check Box If Service Is On USA | |
| SPECIAL INSTRUCTIONS or OTHER INFORMATION TO ASSIST IN EXPEDITING SERVICE (includes Business and Alternate Addresses, Phone Numbers, and Estimated Availability times.) Please publish the attached Notice of Libel at least once for three (3) successive weeks in the <u>Boston Herald</u> or any other newspaper of general circulation in the District of Massachusetts, in accordance with the attached Preliminary Order of Forfeiture and applicable law. <div align="right">JMD x3296</div> | | | |
| Signature of Attorney or other Originator requesting service on behalf of | | <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant | Telephone No. (617) 748-3100 |
| | | Date February 2, 2006 | |
| SIGNATURE OF PERSON ACCEPTING PROCESS: | | | Date |
| SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY | | | |
| I acknowledge receipt for the Total # of Process indicated. | District of Origin No. | District to Serve No. | SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER: |
| Date | | | |
| I hereby Certify and Return That <input type="checkbox"/> PERSONALLY SERVED, <input checked="" type="checkbox"/> HAVE LEGAL EVIDENCE OF SERVICE, <input checked="" type="checkbox"/> HAVE EXECUTED AS SHOWN IN "REMARKS", the Process Described on the Individual, Company, Corporation, Etc., At The Address Shown Above or at the Address Inserted Below. | | | |
| <input type="checkbox"/> I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE. | | | |
| NAME & TITLE of Individual Served If not shown above: | | <input type="checkbox"/> A Person of suitable age and discretion then residing in the defendant's usual place of abode. | |
| ADDRESS: (Complete only if different than shown above.) REMARKS: Notice of Libel was published as directed above in the Boston Herald newspaper on May 1, 8 and 15. Copy of | | Date of Service | Time of Service <input type="checkbox"/> AM <input type="checkbox"/> PM |
| /Order | | Please see REMARKS | |
| Publisher's Certificate attached. | | Signature, Title and Treasury Agency Stephen P. Leonard, Forfeitures Officer | |
| | | U.S. Customs and Border Protection | |

TD F 90-22.48 (6/96)

☐ RETURN TO COURT ☐ FOR CASE FILE ☐ LEAVE AT PLACE OF SERVICE

☐ FILE COPY

SS.

the said county. Madeleine M. Freehan

Case No. 05-10211-MLW advertisement
was published in said newspaper in its issues of _____

May 1, 8, 15 A.D. 20 06

Subscribed and sworn to before me this

day of July A.D. 2006

Notary(Public

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NOTICE OF ORDER OF FOREFEITURE

Criminal Case 05-10211-MLW

United States of America, District of Massachusetts, at Boston, Massachusetts, January 24, 2006.

Notice is hereby given that a Preliminary Order of Forfeiture has been filed in the United States District Court against Gilberto Lopez Nagine, pursuant to 18 U.S.C. § 853, incorporated by 18 U.S.C. § 1028 (h), and 18 U.S.C. § 982, regarding the following properties:

\$21,000.00 In U.S. Currency;
Compaq Presario PCU Serial Number
B611VWK122; and
Miscellaneous documents.

hereinafter "Defendant Properties").

Upon adjudication of all third party interests, the United States of America intends to dispose of the Defendant Properties named above, in accordance with the law.

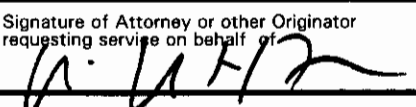
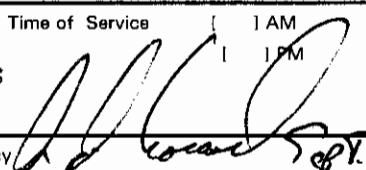
Pursuant to 21 U.S.C. § 853 (n) (2) and (3), 18 U.S.C. § 3056 (b) (1) (5), 18 U.S.C. § 3058 (g) (1) (5), and the Defendant's alleged interest in the Defendant's properties, the petition must be filed with the United States District Court for the District of Massachusetts and served upon the United States Attorney's Office, Asset Forfeiture Unit, Courthouse Way, Suite 9200, Boston, Massachusetts 02210 within the thirty-day period provided under 21 U.S.C. § 853 (n) and 18 U.S.C. § 3058 (a) (2) (b). The petition shall be signed by the petitioner and shall set forth the nature and content of the Defendant's right, title or interest in the forfeited assets, together with the time and circumstances of the petitioner's acquisition of the joint title or interest in the Defendant's properties. Any additional facts supporting the petitioner's claim, and the relief sought, upon the Court of all third party interests, shall be set forth in a final order of the forfeiture pursuant to 18 U.S.C. § 853, as incorporated by 18 U.S.C. § 3058 (g) (1) (5), in which all such interests will be addressed.

Bureau of Customs and Border Protection
District of Massachusetts -
Ref 050401000180-01

May 18, 15



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

| | | | |
|---|--|---|--|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER CR No. 05-10211-MLW | |
| DEFENDANT Gilberto Lopes Nagime | | TYPE OF PROCESS Preliminary Order of Forfeiture | |
| SERVE AT | Name Of Individual, Company, Corporation, Etc.. to Serve or Description of Property to Seize Mark W. Pearlstein, Esquire | | |
| | Address (Street or RFD / Apt. # / City, State, and Zip Code) 28 State Street Boston, MA 02109 | | |
| Send NOTICE OF SERVICE copy to Requester: JENNIFER H. ZACKS, ASSISTANT U.S. ATTORNEY UNITED STATES ATTORNEY'S OFFICE John Joseph Moakley United States Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 | | Number Of Process To Be Served In This Case. | |
| | | Number Of Parties To Be Served In This Case. | |
| | | Check Box If Service Is On USA | |
| SPECIAL INSTRUCTIONS or OTHER INFORMATION TO ASSIST IN EXPEDITING SERVICE (includes Business and Alternate Addresses, Phone Numbers, and Estimated Availability times.) Please serve the attached Preliminary Order of Forfeiture upon the above-named Individual by certified mail, return receipt requested. JMD x3296 | | | |
| Signature of Attorney or other Originator requesting service on behalf of  | | <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant | Telephone No. (617) 748-3100 |
| SIGNATURE OF PERSON ACCEPTING PROCESS: | | Date February 2, 2006 | |
| SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY | | | |
| I acknowledge receipt for the Total # of Process Indicated. | District of Origin No. _____ | District to Serve No. _____ | SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER: |
| Date | | | |
| I hereby Certify and Return That I <input type="checkbox"/> PERSONALLY SERVED, <input type="checkbox"/> HAVE LEGAL EVIDENCE OF SERVICE, <input type="checkbox"/> HAVE EXECUTED AS SHOWN IN "REMARKS", the Process Described on the Individual, Company, Corporation, Etc., At The Address Shown Above or at the Address Inserted Below. | | | |
| <input type="checkbox"/> I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE. | | | |
| NAME & TITLE of Individual Served If not shown above: | <input type="checkbox"/> A Person of suitable age and discretion then residing in the defendant's usual place of abode. | | |
| ADDRESS: (Complete only if different than shown above.) | Date of Service | Time of Service | <input type="checkbox"/> AM <input type="checkbox"/> PM |
| REMARKS: The Order was served as directed above by certified mail number 7001 2510 0003 4299 6423. Postal receipt showing delivery | Signature, Title and Treasury Agency  Stephen P. Leonard, Forfeitures Officer | | |

Receipt on May 1, 2006, Copy of Postal receipt attached. U.S. Customs and Border Protection
TD F 90-22.48 (6/96)

☐ RETURN TO COURT ☐ FOR CASE FILE ☐ LEAVE AT PLACE OF SERVICE

☐ FILE COPY

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|--|--|
| Postage \$ | |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees \$ | |

Sent To Mark Pearlstein, Esq.

Street, Apt. No. or PO Box No. 28 State St.

City, State, ZIP+4 Boston, MA 02108

Postmark
 SEP 28 2006
 HEP
 STATION MA 02108

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, on the front if space permits - 10211-MLW

Addressed to:

Mark Pearlstein, Esq.
 State St.
 Boston, MA 02108

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] ☒ Agent ☐ Addressee

B. Received by (Printed Name) [Signature] C. Date of Delivery 5/1/06

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number
 (Transfer from service label)

7001 2510 0003 4299 6423

PS Form 3811 August 2001

Domestic Return Receipt

12296-01-41-0301



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

| | | | |
|---|---|---|--|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER CR No. 05-10211-MLW | |
| DEFENDANT Gilberto Lopes Nagime | | TYPE OF PROCESS Preliminary Order of Forfeiture | |
| SERVE AT | Name Of Individual, Company, Corporation, Etc.. to Serve or Description of Property to Seize Gilberto Lopes Nagime #96416703 | | |
| | Address (Street or RFD / Apt. # / City, State, and Zip Code) Suffolk County House of Corrections 20 Brad Street Boston, MA 02118 | | |
| Send NOTICE OF SERVICE copy to Requester: JENNIFER H. ZACKS, ASSISTANT U.S. ATTORNEY UNITED STATES ATTORNEY'S OFFICE John Joseph Moakley United States Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 | | Number Of Process To Be Served In This Case. | |
| | | Number Of Parties To Be Served In This Case. | |
| | | Check Box If Service Is On USA | |
| SPECIAL INSTRUCTIONS or OTHER INFORMATION TO ASSIST IN EXPEDITING SERVICE (includes Business and Alternate Addresses, Phone Numbers, and Estimated Availability times.) Please serve the attached Preliminary Order of Forfeiture upon the above-named Individual by certified mail, return receipt requested. <div align="right">JMD x3296</div> | | | |
| Signature of Attorney or other Originator requesting service on behalf of | | <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant | Telephone No. (617) 748-3100 |
| | | Date February 2, 2006 | |
| SIGNATURE OF PERSON ACCEPTING PROCESS: | | | Date |
| SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY | | | |
| I acknowledge receipt for the Total # of Process Indicated. | District of Origin No. | District to Serve No. | SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER: |
| Date | | | |
| I hereby Certify and Return That I <input type="checkbox"/> PERSONALLY SERVED, <input type="checkbox"/> HAVE LEGAL EVIDENCE OF SERVICE, <input checked="" type="checkbox"/> HAVE EXECUTED AS SHOWN IN "REMARKS", the Process Described on the Individual, Company, Corporation, Etc., At The Address Shown Above or at the Address Inserted Below. | | | |
| <input checked="" type="checkbox"/> I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE. | | | |
| NAME & TITLE of Individual Served If not shown above: | | <input type="checkbox"/> A Person of suitable age and discretion then residing in the defendant's usual place of abode. | |
| ADDRESS: (Complete only if different than shown above.) REMARKS: The Order was mailed as directed above by certified mail no. 7001 2510 0003 4299 6416. However, the envelope/Order was returned by the Postal Service as "NOT DELIVERABLE". | | Date of Service Please see REMARKS | Time of Service <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM |
| | | Signature, Title and Treasury Agency Stephen P. Leonard, Forfeitures Officer | |
| | | U.S. Customs and Border Protection. | |

TD F 90-22.48 (6/96)

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 ☐ FOR CASE FILE
 ☐ LEAVE AT PLACE OF SERVICE
 ☐ FILE COPY

CERTIFIED MAIL



7001 2510 0003 4299 6416

**U.S. Customs and
Border Protection**

683
10 CAUSEWAY STREET, ROOM 603
BOSTON, MA 02222-1059

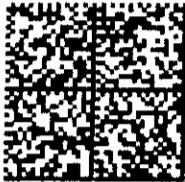
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$ 300



Refused
ID Number
Unknown
Insufficient Address
Moved Left No Address
Contra Band
Disapproved

**NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD**
Suffolk County House of Corrections
Gilberto Lopes Nagime
#96416703
20 Bradston St.
Boston, MA 02118

047J00740312
\$04.640
04/28/2006
Mailed From 02222
US POSTAGE
US OFFICIAL MAIL
\$300 Penalty
For Private Use



2006 MY 11 PM 2:15
U.S. POSTAL SERVICE
BOSTON

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only: No Insurance Coverage Provided)

OFFICIAL USE

| | |
|---|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

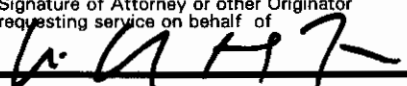

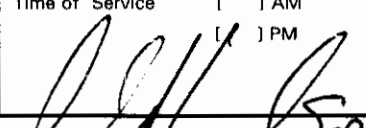
Postmark: BOSTON MA 02118 APR 28 2006

Sent To: Suffolk County House of Corrections
Street, Apt. No., Gilberto Lopes Nagime
or PO Box No.
City, State, ZIP+4: 20 Bradston St. #96416703
Boston, MA 02118

9749 6624 0000 0752 1002



Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

| | | | |
|--|---|--|---|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER CR No. 05-10211-MLW | |
| DEFENDANT Gilberto Lopes Nagime | | TYPE OF PROCESS Preliminary Order of Forfeiture | |
| SERVE AT | Name Of Individual, Company, Corporation, Etc.. to Serve or Description of Property to Seize Compaq Presario CPU SN 3D16JLVNK1Z2 | | |
| | Address (Street or RFD / Apt. # / City, State, and Zip Code) | | |
| Send NOTICE OF SERVICE copy to Requester: JENNIFER H. ZACKS, ASSISTANT U.S. ATTORNEY UNITED STATES ATTORNEY'S OFFICE John Joseph Moakley United States Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 | | Number Of Process To Be Served In This Case. | |
| | | Number Of Parties To Be Served In This Case. | |
| | | Check Box If Service Is On USA | |
| SPECIAL INSTRUCTIONS or OTHER INFORMATION TO ASSIST IN EXPEDITING SERVICE (includes Business and Alternate Addresses, Phone Numbers, and Estimated Availability times.) Please seize and maintain custody and control over the above-referenced computer in accordance with the attached Preliminary Order of Forfeiture and applicable law. JMD x3296 CATS # 05-USC-000892 | | | |
| Signature of Attorney or other Originator requesting service on behalf of  | | [X] Plaintiff [] Defendant | Telephone No. (617) 748-3100 |
| SIGNATURE OF PERSON ACCEPTING PROCESS: | | Date February 2, 2006 | |
| SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY | | | |
| I acknowledge receipt for the Total # of Process Indicated. | District of Origin No. _____ | District to Serve No. _____ | SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER:  |
| I hereby Certify and Return That I [] PERSONALLY SERVED, [] HAVE LEGAL EVIDENCE OF SERVICE, [X] HAVE EXECUTED AS SHOWN IN "REMARKS", the Process Described on the Individual, Company, Corporation, Etc., At The Address Shown Above or at the Address Inserted Below. | | | |
| [] I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE. | | | |
| NAME & TITLE of Individual Served If not shown above: | | [] A Person of suitable age and discretion then residing in the defendant's usual place of abode. | |
| ADDRESS: (Complete only if different than shown above.) REMARKS: The above referenced CPU has been seized and has been incustody since May 1, 2006. | Date of Service Please see REMARKS | Time of Service [] AM [] PM  Signature, Title and Treasury Agency Stephen P. Leonard, Forfeitures Officer | |
| U.S. Customs and Border Protection | | | |

TD F 90-22.48 (6/96)

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Department of the Treasury
Federal Law Enforcement Agencies
PROCESS RECEIPT AND RETURN

| | | | |
|--|---|--|--|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER CR No. 05-10211-MLW | |
| DEFENDANT Gilberto Lopes Nagime | | TYPE OF PROCESS Preliminary Order of Forfeiture | |
| SERVE AT | Name Of Individual, Company, Corporation, Etc.. to Serve or Description of Property to Seize Miscellaneous Documents | | |
| | Address (Street or RFD / Apt. # / City, State, and Zip Code) | | |
| | | | |
| Send NOTICE OF SERVICE copy to Requester: JENNIFER H. ZACKS, ASSISTANT U.S. ATTORNEY UNITED STATES ATTORNEY'S OFFICE John Joseph Moakley United States Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 | | Number Of Process To Be Served In This Case. | |
| | | Number Of Parties To Be Served In This Case. | |
| | | Check Box If Service Is On USA | |
| SPECIAL INSTRUCTIONS or OTHER INFORMATION TO ASSIST IN EXPEDITING SERVICE (includes Business and Alternate Addresses, Phone Numbers, and Estimated Availability times.) Please seize and maintain custody and control over the above-referenced Miscellaneous Documents in accordance with the attached Preliminary Order of Forfeiture and applicable law. JMD x3296 CATS # 05-USC-000893 | | | |
| Signature of Attorney or other Originator requesting service on behalf of | | [X] Plaintiff [] Defendant | Telephone No. (617) 748-3100 |
| | | Date February 2, 2006 | |
| SIGNATURE OF PERSON ACCEPTING PROCESS: | | | Date |
| SPACE BELOW FOR USE OF TREASURY LAW ENFORCEMENT AGENCY | | | |
| I acknowledge receipt for the Total # of Process Indicated. | District of Origin No. _____ | District to Serve No. _____ | SIGNATURE OF AUTHORIZED TREASURY AGENCY OFFICER: |
| Date | | | |
| I hereby Certify and Return That I [] PERSONALLY SERVED, [] HAVE LEGAL EVIDENCE OF SERVICE, [X] HAVE EXECUTED AS SHOWN IN "REMARKS", the Process Described on the Individual, Company, Corporation, Etc., At The Address Shown Above or at the Address Inserted Below. | | | |
| [] I HEREBY CERTIFY AND RETURN THAT I AM UNABLE TO LOCATE THE INDIVIDUAL, COMPANY, CORPORATION, ETC. NAMED ABOVE. | | | |
| NAME & TITLE of Individual Served If not shown above: | | [] A Person of suitable age and discretion then residing in the defendant's usual place of abode. | |
| ADDRESS: (Complete only if different than shown above.) REMARKS : The above referenced documents have been seized and have been in custody since May 1, 2006. | | Date of Service | Time of Service [] AM [] PM |
| | | Signature, Title and Treasury Agency Stephen P. Leonard, Forfeitures Officer | |

U.S. Customs and Border Protection

TD F 90-22.48 (6/96)

☐ RETURN TO COURT ☐ FOR CASE FILE ☐ LEAVE AT PLACE OF SERVICE ☐ FILE COPY